

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
July 8, 2014

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, July 8, 2014 at the Bennett Town Hall, 355 4th Street, Bennett, Colorado. Mayor Sue Horn called the meeting to order at 7:13 p.m. The following persons were present upon the call of the roll:

Mayor: Sue Horn

Trustees Present: Charles Bayley
Grider Lee
Jim Pieters
Royce Pindell
Eric Ricke
Larry Vittum

Staff Present: Sam Light, *Light, Kelly, P.C.*
Trish Stiles, *Town Administrator*
Rachel Summers, *Town Treasurer*
Lynette White, *Town Clerk*

Public Present: Emma Galvin, Whitney Allen, Carol Swanson, Linda Burry, Dave Ruble, David Nowling, Deb Tapparo, Steven Vetter

2. APPROVAL OF AGENDA

TRUSTEE BAYLEY MOVED, TRUSTEE VITTUM SECONDED to approve the agenda as presented. The Mayor declared the motion carried by unanimous vote.

3. CONSENT AGENDA

Trustee Ricke inquired about the check amounts and if they represent more than one invoice to the vendor.

TRUSTEE BAYLEY MOVED, TRUSTEE VITTUM SECONDED to approve the Consent Agenda as presented. Voting was as follows:

YES: Bayley, Lee, Horn Pieters, Pindell, Ricke, Vittum

NO: None

The Mayor declared the motion carried by unanimous vote.

A. Approval of Minutes

1. Action: Approve regular meeting minutes of June 10, 2014

B. Approval of Check Run(s)

1. Action: Approve check run of June 19, 2014
2. Action: Approve Check Run of July 2, 2014

4. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

David Nowling, 985 Pinehurst Court, representing the Antelope Hills Homeowners Association, discussed the washout area along Kiowa-Bennett Road and inquired about possible solutions/alternatives to having the work completed, cracks in the road, issues with Antelope Investors and the repair of a water line.

5. REGULAR BUSINESS

A. Action/Discussion Items

1. Ordinance

Sam Light, Town Attorney, reviewed the proposed ordinance to extend the temporary moratorium for the establishment of marijuana clubs and explained the need to extend the moratorium until the legislature has provided direction and additional definition.

Ordinance No. 642-14 – An Emergency Ordinance of the Town of Bennett extending the temporary moratorium on the acceptance, processing, or issuance of applications or requests for business licenses, building permits, and certificates of occupancy for any business that invites or permits private assembly for the purpose of the use or consumption of marijuana products and on the establishment or operation of any such business within the Town of Bennett

TRUSTEE BAYLEY MOVED, TRUSTEE LEE SECONDED to adopt Ordinance No. 642-14, an emergency ordinance of the Town of Bennett extending the temporary moratorium on the acceptance, processing, or issuance of applications or requests for business licenses, building permits, and certificates of occupancy for any business that invites or permits private assembly for the purpose of the use or consumption of marijuana products and on the establishment or operation of any such business within the Town of Bennett. Voting was as follows;

YES: Horn, Lee, Pieters, Pindell, Ricke, Vitum, Bayley

NO: None

The Mayor declared the motion carried by unanimous vote.

2. Use of Golf Carts – Bennett Regional Park and Open Space

Trish Stiles, Town Administrator, reviewed the Arapahoe County Open Space Conservation Easement, and advised the Board that a local ordinance may be established to prohibit the use of golf carts and motorized vehicles within the Bennett Regional Park and Open Space. Ms. Stiles has discussed the proposed changes with Arapahoe County Open Space and the Arapahoe County Sheriff's Office. Town Staff was directed to draft the ordinance.

3. Antelope Hills Washout

Trish Stiles, Town Administrator, reviewed with the Board the correspondence dated May 28, 2014, submitted to the Antelope Hills Homeowners Association, regarding the washout area along the Kiowa-Bennett Road (*Antelope Hills Washout*) and the subsequent investigations into possible solutions.

Sam Light, Town Attorney, discussed the mutual benefit in working together to achieve a solution and also inquired about the issue of ongoing maintenance. David Nowling, President, Antelope Hills Homeowners Association, advised that the Homeowners Association has offered to pay for the materials for the repair of the washout, and inquired if the Town of Bennett Public Works department could provide the labor for the completion.

Direction was provided to Town Staff to complete the following; pursue grants to complete an engineer's evaluation, types of mitigation, one time agreements, and insurance information.

6. TOWN STAFF REPORTS

Town Administrator

Trish Stiles, Town Administrator, discussed the following;

- Colorado Municipal League Executive Committee Retreat, July 11-12, 2014
- REAP Luncheon, Thursday, July 10, 2014
- Economic Development Plan
- Bennett Fire Protection District RFP's
- Adams County Open Space Grant Submissions
- DRCOG Alternate and Committee Assignments

Town Clerk

Lynette White, Town Clerk, presented the following;

- Town of Bennett Special Election results
- Adams County Executive Committee Meetings
- Arapahoe County Mayors and Managers Meeting

7. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Royce Pindell

Trustee Pindell advised he will be out the week of July 20 – 27th.

James Grider Lee

Trustee Lee inquired about the following;

- Town of Bennett Grant Report
- Research on opening Board meetings with a prayer

Jim Pieters

Trustee Pieters asked for information regarding the property at Highway 36 and Kiowa Bennett Road.

Eric Ricke

Trustee Ricke stated that the fireworks display on July 4th was great and thanked Town Staff and Trustee Pindell for the event.

Sue Horn

Mayor Horn presented the following;

- Out of the Office July 14 – 23, 2014
- Employee Lunch, Tuesday, July 29, 2014
- Community Events
- Thank you to the Board and supporters during the recent Special Recall Election.

TRUSTEE LEE MOVED, TRUSTEE PIETERS SECONDED to cancel the regular meeting, Tuesday, July 22, 2014 due to the lack of a quorum and to schedule a Special Meeting on Tuesday, July 29, 2014. The Mayor declared the motion carried by unanimous vote.

TRUSTEE PINDELL MOVED, TRUSTEE VITTUM SECONDED to extend the meeting of the Board of Trustees past 10:00 p.m. The Mayor declared the motion carried by unanimous vote.

8. EXECUTIVE SESSION

1. To confer with an attorney for the Town for the purposes of receiving legal advice on specific legal questions, under C.R.S. Section 24-6-402(4)(b); *Related to personnel matters*

TRUSTEE BAYLEY MOVED, TRUSTEE PINDELL SECONDED to go into executive session to confer with an attorney for the Town for the purposes of receiving legal advice on specific legal questions, under C.R.S. Section 24-6-402(4)(b); and the following additional details are provided for identification purposes – *Related to personnel matters*.

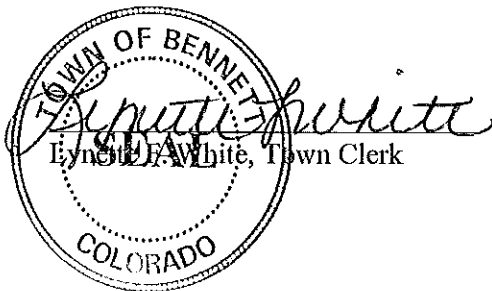
The Mayor declared the motion carried by unanimous vote. The Board went into executive session at 10:00 p.m.

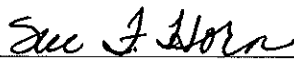
The Board came out of executive session at 10:40 p.m. The Mayor announced that the Board had been in executive session and the following persons participated in that session: Charles Bayley, Sue Horn, Grider Lee, Jim Pieters, Royce Pindell, Eric Ricke, (*Trustee Ricke left the Executive Session discussion at 10:32 p.m.*) Larry Vittum and Sam Light. The Mayor asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concerns be stated for the record. No concerns were presented.

The Board of Trustees returned to the open meeting at 10:42 p.m. and the public was invited to return to the Board Room. There were no members of the public present.

9. ADJOURNMENT

TRUSTEE PINDELL MOVED, TRUSTEE PIETERS SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 10:42 p.m.




Sue F. Horn, Mayor